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In the United States Patent and Trademark Office

iMedica

Serial Number: 09/ 802546  
Application Filed: March 9, 2001  
Applicant(s): Debi Whitson  
Application Title: Process of interfacing a patient indirectly with their own electronic medical records  
Examiner/GAU: Unknown

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Protest

iMedica Corporation (iMedica) wishes to lodge a protest of the registration of the above referenced patent application based on unobviousness.

iMedica is a software company which develops and markets an electronic medical-keeping (EMR) software product, PhysicianSuite™, for clinics and hospitals. One component of PhysicianSuite is a feature called Scanform by which medical history information filled in by a patient on a bubble form is scanned and entered into the patient's electronic medical record. iMedica began developing Scanform in November 2000, and the first version was provided to a customer in May 2001. In October 2001, iMedica created the "standard" forms for Scanform, and began providing the component to all customers thereafter.

Scanform allows a patient to fill in a bubble form to provide medical history information. A scanner is used by the clinic or hospital to extract the data to the patient's electronic medical record. Scanform also uses barcodes printed on a form to allow the scanner to distinguish among different forms. The recognition of the bubble information is done by a 3<sup>rd</sup> party program (Remark Office OMR by Principia Products). Scanform processes the output and inserts it into the relevant patient medical record.

iMedica hasn't sought patent protection for Scanform, because it considers the technology obvious to persons with ordinary skill in the art of developing electronic medical keeping technology. Essentially, the idea for the technology is to have a patient fill out a bubble form, and have the bubble form scanned into a database. This use of a bubble form has been going on for many years, and we see nothing novel or non-obvious about using the technology in relation to a patient medical record. An indication of the obviousness of the technology is that iMedica appears to have developed the idea independently and simultaneously with Ms. Whitson, immediately after hospitals and clinics began gravitating to the use of software for electronic medical record keeping.

For the above reasons, we ask that the Patent and Trademark Office deny the registration of the above referenced patent application.

Very respectfully,

*Tom Carroll*

Tom Carroll  
Director of Legal Affairs  
iMedica Corporation